

REMARKS

The application has been reviewed in light of the Advisory Action dated November 27, 2006 and the final Office Action dated August 9, 2006. Claims 1-64 are pending. By this Amendment, claim 44 has been amended to correct an informality therein, claims 45 and 48-57 have been amended to clarify the claimed invention without narrowing the claimed subject matter, and new claim 65 has been added. Accordingly, claims 1-64 are presented for continued examination, with claims 1, 14, 15, 29 and 43-45 being in independent form.

The August 9, 2006 Office Action indicated that claim 44 was objected to as having informalities. The November 27, 2006 Advisory Action indicated that claim 45 is directed to non-statutory subject matter under 35 U.S.C. § 101.

By this Amendment, claim 44 has been amended to correct the informality therein, and claims 45 and 48-57 have been amended to clarify the claimed invention without narrowing the claimed subject matter.

Claims 1-10, 14-24, 28-54 and 58-64 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 6,622,174 to Ukita et al. in view of U.S. Patent No. 6,601,037 to Kolls et al. Claims 11, 12, 25, 26 and 55-57 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Ukita in view of Kolls and further in view of U.S. Patent No. 5,875,422 to Eslambolchi et al. Claims 13 and 27 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Ukita in view of Kolls and further in view of U.S. Patent No. 5,884,246 to Boucher et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 14, 15, 29 and 43-45 are patentable over the cited art, for at least the following reasons.

It is contended in the Office Action that Ukita and Kolls, in combination, renders obvious

independent claims 1, 14, 15, 29 and 43-45.

However, such a contention ignores the fact that neither Ukita nor Kolls teaches or suggests displaying the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated, as provided the subject matter of independent claims 1, 14, 15, 29 and 43-45.

Ukita, as acknowledged in the Office Action, does not teach or suggest a facsimile apparatus having a scanner, and therefore of course also fails to teach or suggest displaying the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated.

Kolls, like Ukita, does not teach or suggest displaying the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated.

Kolls proposes a public access e-commerce station which allows public access to information technology capabilities. Kolls proposes that the public access e-commerce station may be configured to include assorted information technology equipment such as copiers, phones, facsimile machines, printers, data-ports, laptop print stations, notebook computers, palmtop computers, microfiche devices, projectors, scanners, cameras, modems, communication access, personal data assistants, pagers, and other vending machines, personal computers, Internet terminals, etc. The station can vend assorted products and services in connection with the equipment, such as usage time, device usage count, printed output, pages of copies, printed pages, fax transmissions, transmitted pages and other related supplies (e.g. food, beverage, staplers, film, rubber bands, paper clips, note pads, computer disks, pens, and pencils), access to program applications, or databases, etc. Kolls further proposes that while a user is at the station advertisement of products and services that can be purchased at the station are displayed.

However, Applicant does not find teaching or suggest in Kolls to display advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated.

Kolls, column 23, lines 1-3 (cited in the Office Action), contrary to the suggestion in the Office Action, does not teach displaying advertisement when a user uses a facsimile machine, but rather states as follows: “Processing in block 714 refreshes the display as advertisement, or marketing data change. Processing then moves to block 716 of FIG. 9B.”

The Advisory Action states that controlling a display when scanning a document is inherent in Kolls. As well established by the Federal Circuit, a claim feature can be inherent to subject matter proposed by a reference only if every instantiation of the subject matter must have the claim feature.

Here, the public access e-commerce station proposed by Kolls does not have to display advertisement information on a display device of the station when a document is being scanned and image data is being accumulated. For example, the advertisement information may be displayed only when the scanning is complete and the user is waiting for confirmation of receipt of the facsimile transmission at the destination end.

Since neither Ukita nor Kolls teaches or suggests displaying the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated, Ukita and Kolls in combination simply cannot render obvious independent claims 1, 14, 15, 29 and 43-45.

Further, neither the Office Action nor the Advisory Action explains any motivation for combining the handheld terminal proposed by Ukita with the station of Kolls.

As acknowledged in the Office Action, the remaining references are merely cited against dependent claims in this application and do not contribute to the analysis of independent claims

1, 14, 15, 29 and 43-45.

Eslambolchi, as understood by Applicant, proposes an approach for automatic language translation in a telecommunication network.

Boucher, as understood by Applicant, proposes tools for translating communications transmitted via a computer network from a first language to a second language via the Internet. Boucher was cited in the Office Action as purportedly disclosing a translation machine that determines the language into which the message is to be translated.

Applicant simply does not find teaching or suggestion in the cited art, however, of a facsimile apparatus which displays the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated, as provided by the subject matter of claim 1.

Independent claims 14, 15, 29 and 43-45 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 14, 15, 29 and 43-45, and the claims depending therefrom, are patentable over the cited art.

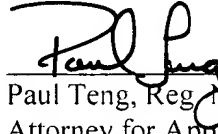
In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is

respectfully requested to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400